

Message Text

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ORIGIN OES-06

INFO OCT-01 EUR-12 ISO-00 L-03 FEA-01 ACDA-07 AGRE-00
AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00
DLOS-06 DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01
TRSE-00 H-01 INR-07 INT-05 IO-13 JUSE-00 NSAE-00
NSC-05 NSF-01 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15
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DRAFTED BY OES/OFA/FA:LLSNEAD:SES

APPROVED BY OES/OFA/FA:ALZUCCA

L/OES - M. HOINKES

EUR/WE - G. FOURIER

OES/OFA/FA - K. CLARK-BOURNE

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TO AMEMBASSY LISBON PRIORITY

INFO AMEMBASSY COPENHAGEN PRIORITY

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COPENHAGEN FOR REG. FISHATT

E.O. 11652:

TAGS: EFIS, PLOS, XN, US, PO

SUBJECT: POSSIBLE US/GOP NEGOTIATIONS ON A GOVERNING
INTERNATIONAL FISHERY AGREEMENT (GIFA)

REF: LISBON 0219

1. DIPLOMATIC NOTE (REFTEL PARA 3) CONCERNED REQUEST BY
U.S. FOR ASSURANCES THAT PORTUGAL AND OTHER ICNAF
MEMBERS WOULD ABIDE BY REQUIREMENT IN U.S. LAW TO OBTAIN
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REGISTRATION PERMITS CONCERNING ANY FISHERIES CONDUCTED OFF
U.S. ATLANTIC COAST IN EVENT U.S. REMAINED IN INTERNATIONAL
COMMISSION FOR THE NORTHWEST ATLANTIC FISHERIES (ICNAF).
HOWEVER, SINCE U.S. WITHDREW FROM ICNAF EFFECTIVE DECEMBER
31, 1976, ABILITY OF GOP OR OTHER NATIONS TO FISH OFF U.S.
ATLANTIC COAST UNDER REGISTRATION PERMIT PROVISIONS
IS NO LONGER VALID. THUS GOP RESPONSE TO SUBJECT NOTE IS

UNNECESSARY.

2. IN LIGHT OF U.S. WITHDRAWAL FROM ICNAF, BEGINNING MARCH 1, 1977, ONLY THOSE COUNTRIES HAVING A GIFA WITH THE U.S. MAY UNDER U.S. LAW APPLY FOR A PORTION OF ANY SURPLUS AVAILABLE FOR FOREIGN FISHING WITHIN U.S. 200 MILE FISHERY CONSERVATION ZONE. ANY SUBSEQUENT FOREIGN FISHING MAY BE CONDUCTED ONLY IN ACCORDANCE WITH THE RESTRICTIONS AND CON-

DITIONS OF PERMITS ISSUED BY THE SECRETARY OF COMMERCE PURSUANT TO A GIFA.

3. ALTHOUGH DEPT. WOULD BE WILLING TO NEGOTIATE A GIFA

WITH PORTUGAL, EMBASSY SHOULD EMPHASIZE THAT CONCLUSION OF A US/GOP AGREEMENT IS NOT ANTICIPATED TO RESULT IN AN ALLOCATION TO PORTUGAL OF ANY SURPLUS AVAILABLE FOR FOREIGN FISHING IN THE FORSEEABLE FUTURE. A GIFA DOES NOT GUARANTEE A FOREIGN FISHERY; IT MERELY ESTABLISHES THE PRINCIPLES AND PROCEDURES UNDER WHICH A COUNTRY IS ELIGIBLE TO APPLY FOR A PORTION OF THE SURPLUS, IF ANY, AVAILABLE FOR FOREIGN FISHING.

4. CRITERIA IN THE U.S. LAW TO BE USED IN THE DETERMINATION OF ANY FOREIGN ALLOCATION INCLUDES (1) WHETHER AND TO WHAT EXTENT FISHING VESSELS OF SUCH NATIONS HAVE TRADITIONALLY ENGAGED IN FISHING OFF THE U.S. COAST, (2) WHETHER SUCH NATIONS HAVE COOPERATED WITH THE U.S. IN, AND MADE SUBSTANTIAL CONTRIBUTIONS TO, FISHERY RESEARCH AND THE LIMITED OFFICIAL USE

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IDENTIFICATION OF FISHERY RESOURCES, AND (3) WHETHER SUCH NATIONS HAVE COOPERATED WITH THE U.S. IN ENFORCEMENT AND WITH RESPECT TO THE CONSERVATION AND MANAGEMENT OF FISHERY RESOURCES. PORTUGAL DOES NOT HAVE A TRADITIONAL FISHERY FOR SQUID OR OTHER RESOURCES OFF U.S. COAST. BECAUSE CURRENT CONDITION OF STOCKS WILL RESULT IN SHARP REDUCTIONS IN THE CATCH LEVELS OF COUNTRIES WHICH DO HAVE TRADITIONAL FISHERIES, THERE CLEARLY APPEARS LITTLE OR NO OPPORTUNITY FOR PORTUGAL TO QUALIFY FOR A PORTION OF ANY SURPLUS UNTIL SUCH TIME AS THE STOCKS REBUILD.

5. DEPT. WOULD APPRECIATE ASSESSMENT BY EMBASSY CONCERNING GOP REACTION RE SITUATION DESCRIBED IN PARAS 3 AND 4 ABOVE PRIOR TO MAKING FURTHER COMMENT ON PROPOSED TEXT OF A US/GOP GIFA OR TIME AND VENUE FOR NEGOTIATIONS.

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